Combating Trafficking in Persons

Haiti Earthquake Relief

DEPARTMENT OF DEFENSE AWARENESS INITIATIVE

Haiti Earthquake Relief

Combating Trafficking in Persons (TIP)

DOD INSTRUCTION 2200.01: “Commanders and military police worldwide, within their authorities, [should] pursue indicators of TIP … Commanders and military police should meet periodically with host nation non-governmental organizations (NGOs) to review TIP-related issues and prevention initiatives.”

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Combating Trafficking in Persons

What is Trafficking in Persons (TIP)?

- Trafficking in Persons is a form of modern-day slavery
- Traffickers use force, fraud or coercion to compel another person into **commercial sex or forced labor**
- **Trafficking does not necessarily involve transporting victims**, but ca recruiting, harboring, providing or obtaining victims
- Children involved in commercial sex **are always considered TIP victims**

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A natural disaster may fuel human trafficking.

- Internally displaced persons, orphans, and children (including pre-teens and adolescents) are especially vulnerable to trafficking.

- Many are wandering in the streets, afraid to go inside for shelter for fear of aftershocks and further collapse.

- Thousands are migrating in search of food, clothing, shelter and medical services.

- Victims may be trafficked for purpos of forced and/or bonded labor, child and commercial sexual exploitation (prostitution, pornography).

- Victims of human trafficking may be trafficked within Haiti or abroad.

DoD photo taken by Fred W. Ba

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Exercise due diligence in evaluating physical/emotional signs of abus

Trauma resulting from the natural disaster may mask signs of traum resulting from human trafficking.

Common Indicators/Activities associated with Labor and Sex Traffick

- People offering job opportunities in foreign countries.
- People claiming to be the relatives of abandoned or orphaned children.
- Luring children
- Relief workers or others requesting sexual favors in exchange for aid.
- Victims may show evidence of being controlle
  - They may appear to be under constant surveillance or fearful of speaking for themselves
- Victims may show signs of physical or sexual abuse.

U.S. Air Force photo by Tech. Sgt. James L. Harper J

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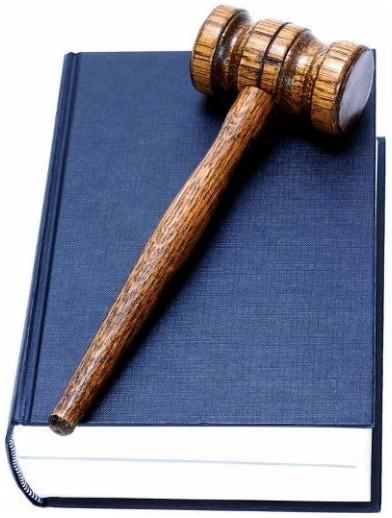
Legal Prohibition on Prostitution

On October 14, 2005, President Bush signed E.O. 13387 "2005 Amendments to the Manual for Courts-Martial, United States" that enumerates the Article 134, UCMJ, offense of "Patronizing a Prostitute“



“(b)(2) Patronizing a Prostitute

(a) That the accused had sexual intercourse with another person not the accused’s spouse;

(b) That the accused compelled, induced, enticed, or procured such person to engage in an act of sexual intercourse in exchange for money or other compensation; and

(c) This act was wrongful; and

(d) That, under the circumstances, the conduct of the accused was to the prejudice of good order and discipline in the armed forces or was of a nature to bring discredit upon the armed forces”

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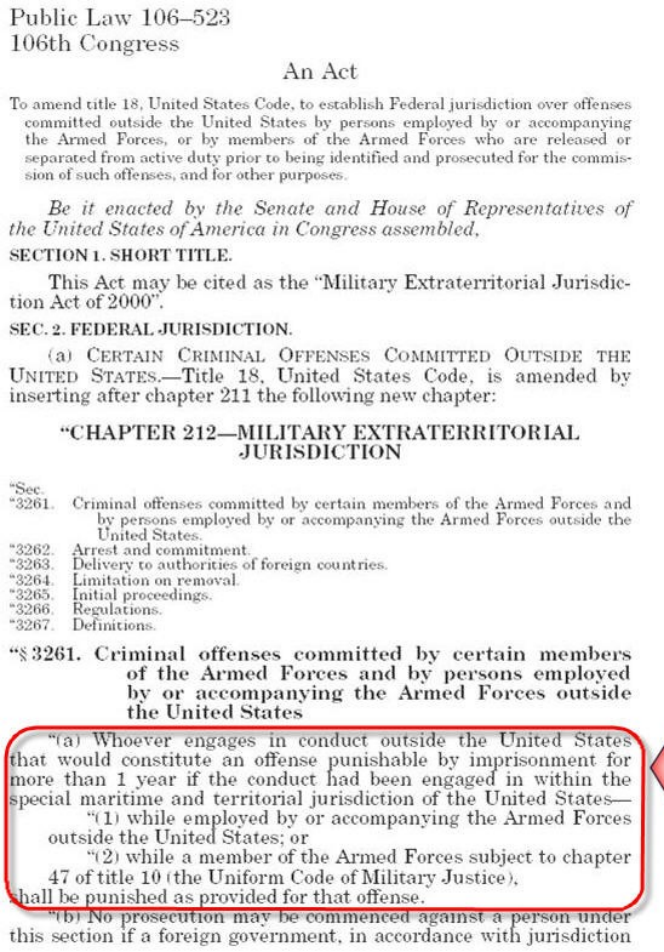
MEJA 2000 DoD Civilians/Contractors

–Be aware of the Military Extraterritorial Jurisdiction Act of 2000 (MEJA)



Public Law 106–523
106th Congress

An Act

To amend title 18, United States Code, to establish Federal jurisdiction over offenses committed outside the United States by persons employed by or accompanying the Armed Forces, or by members of the Armed Forces who are released or separated from active duty prior to being identified and prosecuted for the commission of such offenses, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Military Extraterritorial Jurisdiction Act of 2000".

SEC. 2. FEDERAL JURISDICTION.

(a) CERTAIN CRIMINAL OFFENSES COMMITTED OUTSIDE THE UNITED STATES.—Title 18, United States Code, is amended by inserting after chapter 211 the following new chapter:

"CHAPTER 212—MILITARY EXTRATERRITORIAL JURISDICTION

"Sec.
"3261. Criminal offenses committed by certain members of the Armed Forces and by persons employed by or accompanying the Armed Forces outside the United States.
"3262. Arrest and commitment.
"3263. Delivery to authorities of foreign countries.
"3264. Limitation on removal.
"3265. Initial proceedings.
"3266. Regulations.
"3267. Definitions.

"§ 3261. Criminal offenses committed by certain members of the Armed Forces and by persons employed by or accompanying the Armed Forces outside the United States

"(a) Whoever engages in conduct outside the United States that would constitute an offense punishable by imprisonment for more than 1 year if the conduct had been engaged in within the special maritime and territorial jurisdiction of the United States—
"(1) while employed by or accompanying the Armed Forces outside the United States; or
"(2) while a member of the Armed Forces subject to chapter 47 of title 10 (the Uniform Code of Military Justice),
shall be punished as provided for that offense.

"(b) No prosecution may be commenced against a person under this section if a foreign government, in accordance with jurisdiction

"…engages in conduct outside the United States that would constitute an offense punishable by imprisonment for more than 1 year if the conduct had been engaged in within the special maritime and territorial jurisdiction of the United States…"

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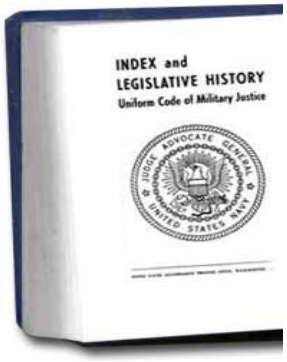
Contractors

Federal Acquisition Regulation (FAR) TIP rule



(a) Prohibit contractors, contractor employees, subcontractors, and subcontractor employees from—

(1) Engaging in severe forms of trafficking in persons during the period of performance of the contract;

(2) Procuring commercial sex acts during the period of performance of the contract; or

(3) Using forced labor in the performance of the contract;

(b) Require Contractors and Subcontractors to notify employees of the prohibited activities described in paragraph (a) of this section and the actions that may be taken against them for violations; and

(c) Impose suitable remedies, including termination, on Contractors that fail to comply with the requirements of paragraphs (a) and (b).

(FAR 22.1703)

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Recommended precautions

Warn Haitians of human trafficking schemes.

Those providing shelter and care are encouraged to register and protect thos
in their facilities, especially children including preteens and adolescents.

Women and children should not be placed in isolated areas of shelters/camps

Routinely check isolated places in shelters/camps.

Also consider sleeping arrangements appropriate for families and individuals

Educate new or temporary relief workers about
human trafficking and outline
a zero-tolerance policy for employees
involved in human trafficking and/or sexual abu

DoD photo by Fred W. Baker III

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Recommended precautions

- Respond quickly if a child or parent asks for help or appears threatened.
- Listen to children who resist persons claiming to be their parents or relati
- If you suspect trafficking in persons notify your chain of command.

combat organized crime syndicates
trafficking in humans
Be a voice
sex slaves and child prostitutes - human faces of modern day slavery
report human trafficking
hotline@dodig.osd.mil
"There's a special evil in the abuse and exploitation of the most innocent and vulnerable. The victims of sex trade see little of life before they see the worst of life – an underground of brutality and lonely fear. Those who patronize this industry debase themselves and deepen the misery of others. And governments that tolerate this trade are tolerating a form of slavery."
President George W. Bush
September 23, 2003
hotline

DoD photo taken by Fred W. Baker III

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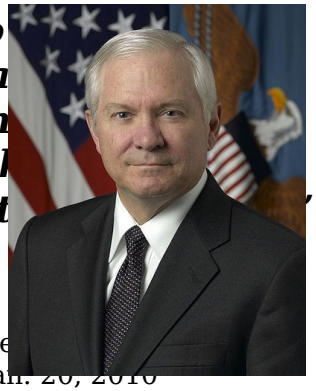
From the President

lp Haiti stand back up. I think we can't afford not to do
s our neighbor. I want to make sure that when America
r around the world, it's not seen only when it's fighting
ot to also be able to help people in desperate need and
t will be good for us, that will be good for our national
security over the long-term."

President Barack Obama
Jan. 16, 2010

From the Defense Secretary

"As long as 2 million people in Haiti are still struggling to
water, fuel and medical care, it would probably be a mista
anyone to say they are satisfied with the level of effort. Th
hard for me to say what more the United States could mal
or how we could make it available faster to deal with the t



Defense Secretary Robe
Jan. 20, 2010

TRAFFICKING IN PERSONS

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